

PATENT



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

RECEIVED
AUG 06 2001
Technology Center 2600
2
JFC
8/8

APPLICANTS: Hon Wah Chin
APPLICATION NO.: 09/823,410
FILING DATE: March 30, 2001
TITLE: System And Method For Determining The Data Rate Of A Digital Data Stream
EXAMINER: Not yet known
GROUP ART UNIT: 2631
ATTY. DKT. NO.: 21216-05044

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 7/30/01 By: Eileen A. Lehmann
Eileen A. Lehmann, Reg. No.: 39,272

COMMISSIONER FOR PATENTS
WASHINGTON, DC. 20231

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the

references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).

The Information Disclosure Statement submitted herewith is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first official action on the merits, whichever event last occurred;
OR
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either:
 - (1) a final action under 37 CFR § 1.113; OR
 - (2) a notice of allowance under 37 CFR § 1.311; AND
 - attached hereto is the fee of \$180, as set forth under 37 CFR § 1.17(p), for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

OR

- before the payment of the issue fee but after the mailing date of the first to occur of either:
 - [1] a final action under 37 CFR § 1.113; OR

- [2] a notice of allowance under 37 CFR § 1.311; AND
in accordance with the requirements of 37 CFR § 1.97(d):
- Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
- each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement;
OR
- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
- Applicant hereby respectfully petitions for the consideration of the accompanying Information Disclosure Statement under 37 CFR § 1.97(d)(2); AND
- Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Applicant submits that no fee is required for the consideration of the accompanying Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
HON WAH CHIN

Dated: 7/30/01

By: Eileen A. Lehmann
Eileen A. Lehmann, Reg. No.: 39,272
Fenwick & West LLP
Two Palo Alto Square
Palo Alto, CA 94306
Tel.: (650) 858-7246
Fax.: (650) 494-1417



Sheet 1 of 1

INFORMATION DISCLOSURE CITATION				U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office		Attorney's Docket No. 21216-05044	Serial No. 09/823,410
(Use several sheets if necessary)				Applicant Hon Wah Chin			
				Filing Date March 30, 2001	Group Art Unit 2631		
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	6,084,694	07/04/00	Milton et al.	359	124	<i>RECEIVED AUG 06 2001 Technology Center 2600</i>
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation
							<input type="checkbox"/> Yes <input type="checkbox"/> No
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to applicant.

PTO-1449
REV: 02/01

21216/05044/DOCS/1186164.1